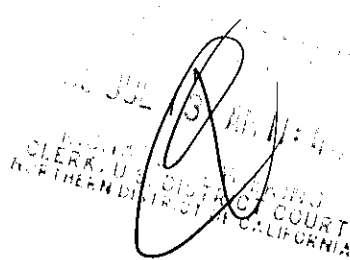


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E-Filing

Counsel to Reorganized Debtor/Appellant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO**

In re:

CONE ENGINEERING CONTRACTORS,
INC., a California Corporation,

Reorganized Debtor.

Civil No. CV 05-02137 PJH

Case No. 02-45803 J11

Chapter 11 Proceeding

STIPULATION EXTENDING TIME TO
FILE BRIEFS; [~~PROPOSED~~] ORDER
THEREON

This Stipulation is entered into by and between Reorganized Debtor Cone Engineering Contractors, Inc. ("Appellant") and Claimant State Compensation Insurance Fund ("Appellee"), and is made with reference to the following facts and circumstances:

1 1. On May 4, 2005 the United States Bankruptcy Court for the Northern District of
2 California entered its order denying Appellant's objections to the claims filed by Appellee in
3 Appellant's bankruptcy case ("Order"), and a memorandum in support of the Order entitled
4 "Decision: Debtor's Objections to Amended Claims Nos. 168 and 172 Filed By State
5 Compensation Insurance Fund" (the "Memorandum").

6 2. On or about May 13, 2005, Appellant filed its Notice of Appeal Re Order
7 Overruling Debtor's Objections To Amended Claims Nos. 168 And 172 Filed By State
8 Compensation Insurance Fund, along with its Statement Of Election Pursuant To 28 U.S.C.
9 Section 158(C) Of The Notice Of Appeal Re Order Overruling Debtor's Objections To
10 Amended Claims Nos. 168 And 172 Filed By State Compensation Insurance Fund.

11 3. Both Appellant and Appellee have filed their respective Statements of Issues
12 and Designation of Documents to be Included in the Record on Appeal.

13 4. On June 13, 2005, this Court filed its Notice of Briefing. Pursuant to the Notice
14 of Briefing, Appellant's brief must be filed and served on July 13, 2005, which date triggers
15 the filing date for the Appellee's brief and Appellant's reply brief.

16 5. Appellant and Appellee are engaged in negotiations to settle the issues raised by
17 the appeal, and, in order to obtain time sufficient to conclude such negotiations, desire to
18 extend, for a period of two weeks, all of the dates associated with the Notice of Briefing.

19 **NOW THEREFORE**, based upon the foregoing recitals, and for good and valuable
20 consideration, the receipt and sufficiency of which are acknowledged by the parties, and the
21 parties intending to be legally bound hereby, the parties hereby stipulate and agree as follows:

22 A. The time within which Appellant must file and serve its brief is
23 extended to and including July 27, 2005.

24 B. Appellee's brief shall be filed and served twenty (20) days after
25 service of Appellant's brief.
26
27
28

1 C. Appellant's reply brief, if any, shall be filed and served ten (10)
2 days after service of Appellee's brief.

3 D. No notice or appearance shall be necessary to effectuate the foregoing.

4 DATED: July 12, 2005

**WINTHROP COUCHOT
PROFESSIONAL CORPORATION**

5
6
7 By: 

Marc. J. Winthrop

8 Robert E. Opera

9 Attorneys for Cone Engineering Contractors,
10 Inc., Appellant

11
12
13 DATED: July 12, 2005

**STATE COMPENSATION INSURANCE
FUND**

14
15 By: 

16 James E. Armstrong

17 Attorney for State Compensation Insurance
18 Fund, Appellee

19
20
21 **ORDER**

22
23 Based upon the foregoing stipulation of the parties, **IT IS SO ORDERED.**

24
25 DATED: July 14, 2005

26 By: 

27 UNITED STATES DISTRICT JUDGE
28